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SEP 18 2000

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

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 (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
78-10294					

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) 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)

Carolyn & John Darragh
 P.O. Box 1157 Riggs Id 83549

4. New Owner/Claimant(s)

Roland F. Heise

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

910 Park Dr

City, State and ZIP Code

Everett, WA 98203

New Telephone Number

425-513-9622

5. Date you acquired the property

6/23/00

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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)

Roland F. Hein

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 J. Barron Date 9-18-00 Fee 25.00
 Received by J. Barron Date 9-18-00 Receipt No. C050459
 Processed by _____ AJ Date _____ WR _____ Date _____

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Department of Water Resources
WARRANTY DEED

COPY

THIS INDENTURE, made on this 23rd day of June, 2000, by and between, JOHN WILLIAM DARRAGH and CAROLYN A. DARRAGH, husband and wife, of PO Box 1157, Riggins, ID 83549 hereinafter referred to as the Grantors, ROLAND F. HEISE, an unmarried person, of 910 Park Dr., Everett, WA 98203 hereinafter referred to as the Grantee.

WITNESSETH:

That the said Grantors, for and in consideration of the sum of Ten Dollars (\$10), lawful money of the United States of America, and other good and valuable considerations to them in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents do grant, bargain, sell, convey and confirm unto the said Grantee, his heirs and assigns, all the following described real property situate in the County of Idaho, State of Idaho, to wit:

See Schedule C, which is attached hereto and hereby incorporated by this reference.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues, and profits thereof, and all estate, right, title, and interest in and to the said property as well in 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 said Grantee, his heirs and assigns forever.

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And the said Grantors, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain, and agree to and with the said Grantee, his heirs and assigns that at the time of the ensealing and delivery of these presents they were well seized of the premises above conveyed as of good, sure, perfect, absolute, and indefeasible estate of inheritance, in fee simple, and have good right, full power, and lawful authority to grant, bargain, sell, and convey the same in the manner and form aforesaid, and that the same are free and clear from all and former grants, bargains, liens, taxes, assessments, and encumbrances of whatever kind or nature whatsoever, EXCEPT:

- 1) General taxes for the year 2000, which are a lien, not yet due and payable.
- 2) Right of Way Easement, including the terms and conditions thereof, by and between ELGIE B. BRATLAND and JOHN BRATLAND, wife and husband, to THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH CO., recorded August 25, 1932, under Instrument No. 99202, in Book 60 page 436, records of Idaho County, Idaho.
- 3) 60 foot Easement for Indian Creek Road Project No. 624 as set forth in Right of Way Deed, including the terms and conditions thereof, by and between ELGIE B. BRATLAND and JOHN BRATLAND, wife and husband, Grantors, and the UNITED STATES OF AMERICA, Grantee, recorded April 12, 1951, in book 84 page 45, records of Idaho County, Idaho.
- 4) Power Line Easement, including the terms and conditions thereof, by and between JOHN BRATLAND and ELGIE BRATLAND, his wife, to IDAHO POWER COMPANY, a corporation, recorded February 21, 1958, under Instrument No. 193564, in Book 91 page 441, records of Idaho County, Idaho.
- 5) Easement, including the terms and conditions thereof, by and between JOHN BRATLAND, a widower, and JOHN BRATLAND, administrator for the estate of ELGIE B. BRATLAND, and FIRMIN GOTZINGER and LAVON GOTZINGER, his wife, Grantors, and THE STATE OF IDAHO, Grantee, recorded July 20, 1961, under Instrument No. 205801, in Book 95 page 367, records of Idaho County, Idaho.

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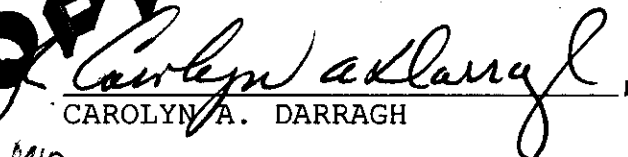
- 6) Easement, including the terms and conditions thereof, by and between JOHN BRATLAND, a widower, and JOHN BRATLAND, administrator for the estate of ELGIE B. BRATLAND, and FIRMIN GOTZINGER and LaVON GOTZINGER, his wife, Grantors, and the STATE OF IDAHO, Grantee, recorded July 20, 1961, under Instrument No. 205802, in Book 95 page 368, records of Idaho County, Idaho.
- 7) Subject to the terms and conditions as set forth in Right of Way Warranty Deed, by and between JOHN BRATLAND, a widower, and JOHN BRATLAND, administrator for the estate of ELGIE B. BRATLAND, and FIRMIN GOTZINGER and LaVON GOTZINGER, his wife, first parties, and THE STATE OF IDAHO, second parties, recorded July 20, 1961, under Instrument No. 204804, in Book 95 page 373, records of Idaho County, Idaho.
- 8) Letter of Easement, including the terms and conditions thereof, by and between FIRMAN GOTZINGER to CANYON TV ASSOCIATION, recorded October 1, 1971, under Instrument No. 242731, records of Idaho County, Idaho.
- 9) Easement for driveway across the Northwest corner of said property as the same now exists.
- 10) Subject to matters as shown by Record of Survey, recorded May 7, 1997, under Instrument No. 392979, records of Idaho County, Idaho.

And that the above bargained premises, in the quiet and peaceable possession of the said Grantee, his heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantors will and shall WARRANT AND FOREVER DEFEND.

That this deed is given by Grantors to Grantee not on account of any default in any security agreements or arrangements which pertain to the real property hereinabove written and described, but is given for full consideration paid by Grantee to Grantors.

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


JOHN WILLIAM DARRAGH


CAROLYN A. DARRAGH

WARRANTY DEED - 3

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STATE OF IDAHO)

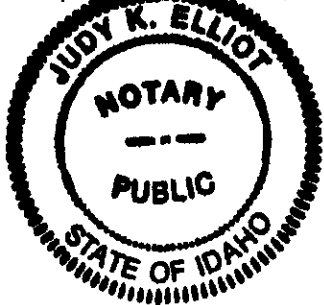
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County of Idaho)

On this 23rd day of June, 2000, before me, a Notary Public in and for said County and State, personally appeared, JOHN WILLIAM DARRAGH and CAROLYN A. DARRAGH, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and they acknowledged to me that they freely executed the same.

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

(NOTARY SEAL)



Judy K. Elliot

Notary Public for the State of Idaho.
Residing at Grangeville, therein.
My commission expires 3-26-04.

SCHEDULE C

Township 22 North, Range 1 East, Boise Meridian, Idaho County, Idaho

Section 4: **TAX NO. 54** – Part of the E $\frac{1}{2}$ NW $\frac{1}{4}$ described as:

Beginning at a concrete monument marked STA 633+16 on the West Boundary of State Highway 95, whence the SW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ bears West, about 270 feet;
Thence Southerly on said boundary 40.5 feet to a rebar on the centerline of a 20 foot wide lane on the road to an old bridge crossing of the Little Salmon River;
Thence on said centerline: South 85°40' West, 38.5 feet;
Thence North 72°00' West, 68 feet;
Thence North 84°10' West, 58.7 feet to the centerline of the USFS Whitebird Ridge Road;
Thence Northwesterly on said centerline 192.5 feet to a point 5 feet from an iron stock guard;
Thence North 46 feet along a fence presumably on the West line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$ to a rebar;
Thence North 75°48' East, 248.3 feet to a rebar on said West boundary of Highway 95;
Thence Southerly on this boundary on the arc of a 2°30' curve 274.6 feet to the point of beginning.
EXCEPTING one-half of a 20 foot wide land on the South, a 20 foot width for a access road along the subdivision fence on the West and the USFS Road through two forties.

LESS:

TAX NO. 106 – A tract of land located in Government Lot 3, more particularly described as follows:

Commencing at the Southwest corner of Government Lot 3 of Section 4, T. 22 N., R. 1 E., Boise Meridian, Idaho County, Idaho;
Thence N 00°23'40" E, 266.98 feet along the West line of Government Lot 3 of Section 4 to the point of beginning;
Thence continuing N 00°23'40" E, 46.34 feet along the West line of Government Lot 3 to a point on the North line of instrument No. 361779;
Thence N 75°48'00" E, 188.41 feet along the North line of instrument No. 361779 to a point on the Westerly right-of-way limit of U.S. Highway 95, said point being on a nontangent curve with center being S 80°58'09" W, 2092.82 feet radial distance;
Thence clockwise along the westerly right-of-way limit of U.S. Highway 95 and said non tangent curve, an arc distance of 15.38 feet;
Thence S 67°07'40" W, 195.88 feet to the point of beginning.

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 78-10294

NAME AND ADDRESS: CAROLYN A DARRAGH
JOHN W DARRAGH
PO BOX 1157
RIGGINS, ID 83549

SOURCE: GROUNDWATER

QUANTITY: 0.03 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 10/01/1980

POINT OF DIVERSION: T22N R01E S04 LOT 03 (NENW) Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.03 CFS

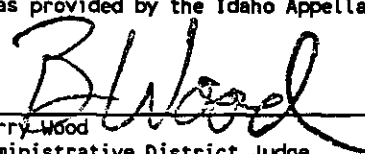
PLACE OF USE: Domestic Within Idaho County
T22N R01E S04 LOT 03 (NENW)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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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

August 22, 2001

ROLAND F HEISE
910 PARK DR
EVERETT WA 98203

RE: Change of Ownership for Water Right 78-10294

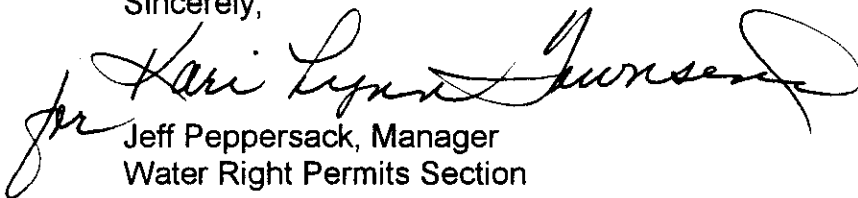
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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