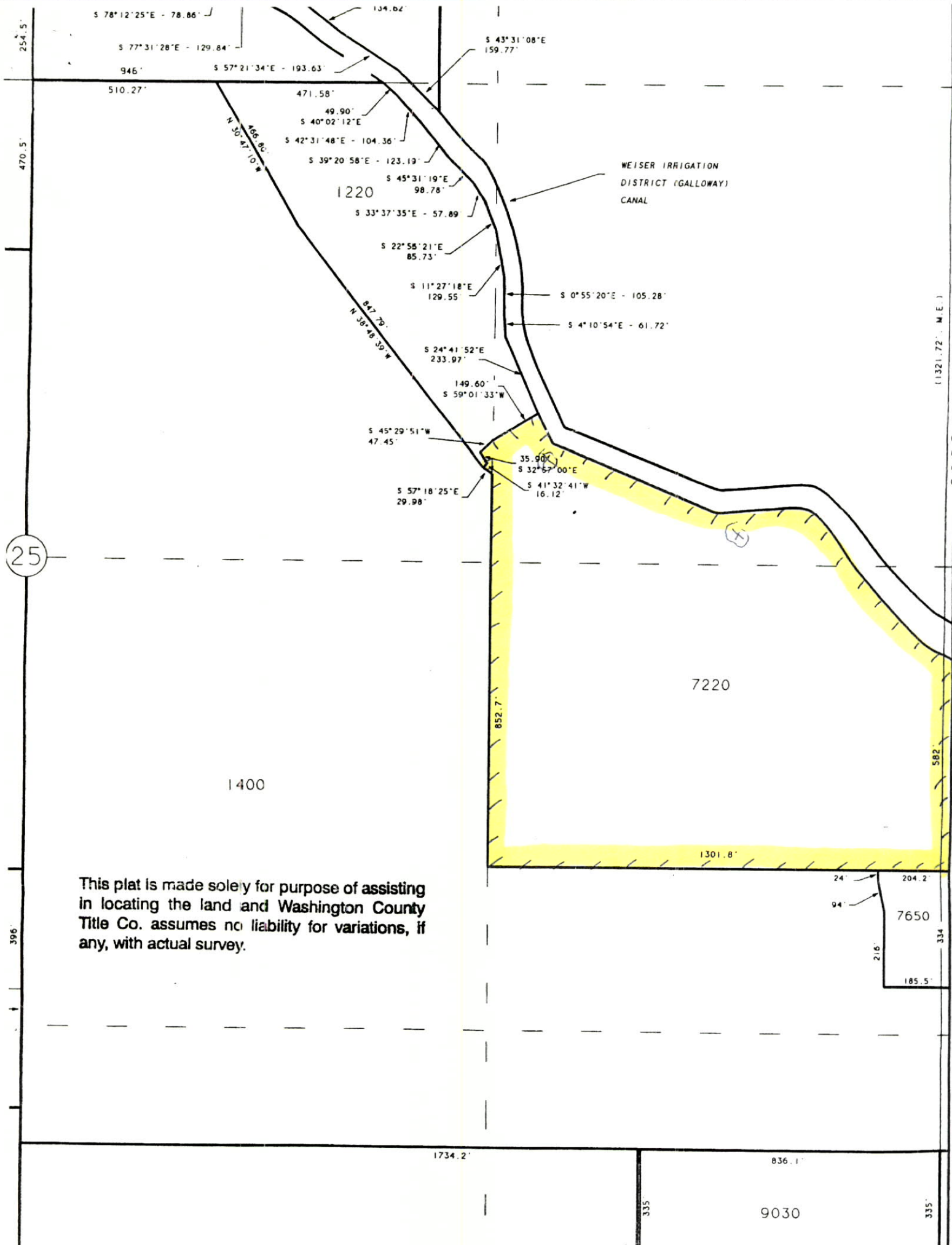


No Color
Documents
In File



67-11378

http://wenet/apps/appsWorkflow/Frameword.asp Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Search Favorites Media Print

Address http://wenet/apps/appsWorkflow/Frameword.asp

Links Customer Links Fresh Meadow Windows Media Windows

Information Search (WR/AJ)

ID	Seq	V	Source Table	Basis	Status	Priority	Date	DI	Source	Water Use List	Owner List
57	11378	1	waAdaptation	Beneficial	Closed	1918-12-31	0.06	SPRING	DOMESTIC, S...	ROWAN, CRAIG (Current); ROWAN, TEN	
57	11379	1	waWaterRight	Decreed	Active	1918-12-31	0.06	SPRING	DOMESTIC, S...	ROWAN, CRAIG (Current); ROWAN, TEN	

Show References Next Step Previous Steps Screen ID 446

Done Local intranet

Start Inbox - Microsoft Outlook http://wenet/apps/ap... 3:21 PM

Fee Paid

Decree shows RSW - deed shows R6W

Left message for Fran McDaniel @ Wash. County Title

Clarence Stark

4.24.03 - No response - no further action taken. File returned to user.

Kari Lynn

RECEIVED

MAR 13 2003

RECEIVED

MAR 10 2003

WATER RESOURCES
WESTERN REGION

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
#0 - 67-4497					
#25 - 67-11378					

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)

Craig Rowan & Mary Hortense Rowan
737 Jenkins Creek Rd, Weiser, ID 83672

4. New Owner/Claimant(s)

* Bernhard and Jennifer Weldon

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

New Mailing Address

737 Jenkins Creek Road

City, State and ZIP Code

Weiser, ID 83672

New Telephone Number

() _____

5. Date you acquired the property

2/23/03

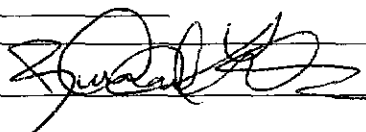
* BERNHARD LEON WELDON
JENNIFER ALBERT WELDON

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)



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>DH</u>	Date <u>3-11-03</u>	Fee <u>\$25-</u>	(67-11378 only)
Received by <u>DH</u>	Date <u>3-11-03</u>	Receipt No. <u>0030183</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

Fee submitted for both #'s listed but only necessary for 67-11378. Refund request submitted for \$25-.

DH 3/11/03

Initials ZW

Initials

WARRANTY DEED

FOR VALUE RECEIVED, CRAIG ROWAN and MARY HORTENSE ROWAN, husband and wife, the Grantors, do hereby, grant, bargain, sell and convey unto BERNHARD LEON WELDON and JENNIFER ALBERT WELDON, husband and wife, the Grantees, whose address is 209 BASS RD, CHATTANOOGA, TN 37421-3903, the following described real estate situated in Washington County, State of Idaho, to-wit: "

See Attached Exhibit

TO HAVE AND TO HOLD the said premises, with their appurtenances, including all water rights appurtenant thereto, unto the said Grantees, their successors 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 incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 28th day of February, 2003.


CRAIG ROWAN

Mary Hortense Rowan
MARY HORTENSE ROWAN

STATE OF IDAHO)
 : ss
County of Washington)

On this 28th day of February, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared CRAIG ROWAN and MARY HORTENSE ROWAN, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

Instrument # 188829

WEISER, WASHINGTON, IDAHO

2003-02-28 04:22:00 No. of Pages: 2

Recorded for: WASHINGTON COUNTY TITLE

SHARON WIDNER

Ex-Officio Recorder Deputy
Index to: DEED

Index to: DEED

L. Francis McDaniel

Notary Public for Idaho

Residing at Weiser, Idaho

Commission expires: 9/1/04

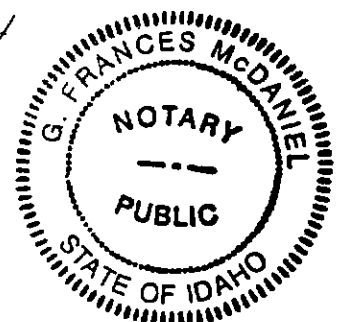


Exhibit to Warranty Deed

The land referred to in this Commitment is situated in the State of Idaho, County of Washington, and is described as follows:

Beginning at an iron pipe located at the East Quarter corner of Section 25, Township 11 North of Range 6 West of the Boise Meridian, and running thence S. 0° 06' E. 270.7 feet to the POINT AND PLACE OF BEGINNING;

Thence S. 0° 06' E. on the East line of said Section 25, 582 feet;

Thence West 1301.8 feet;

Thence N. 0° 06' W. parallel to the East Section line of said Section 25, 1148.5 feet more or less to the southerly most corner of land described in Quit Claim Deed recorded September 17, 1982 in Book 101 of Deeds, Page 727;

Thence N. 57° 18' 25" W. - 29.98 feet;

Thence N. 41° 32' 41" E. - 16.12 feet;

Thence N. 32° 57' 00" W. - 35.90 feet;

Thence N. 45° 29' 51" E. - 47.45 feet;

Thence N. 59° 01' 33" E. 149.60 feet to the westerly right-of-way line of Weiser Irrigation District Canal;

Thence southeasterly along said right-of-way to the East line of the southeast quarter of said Section 25;

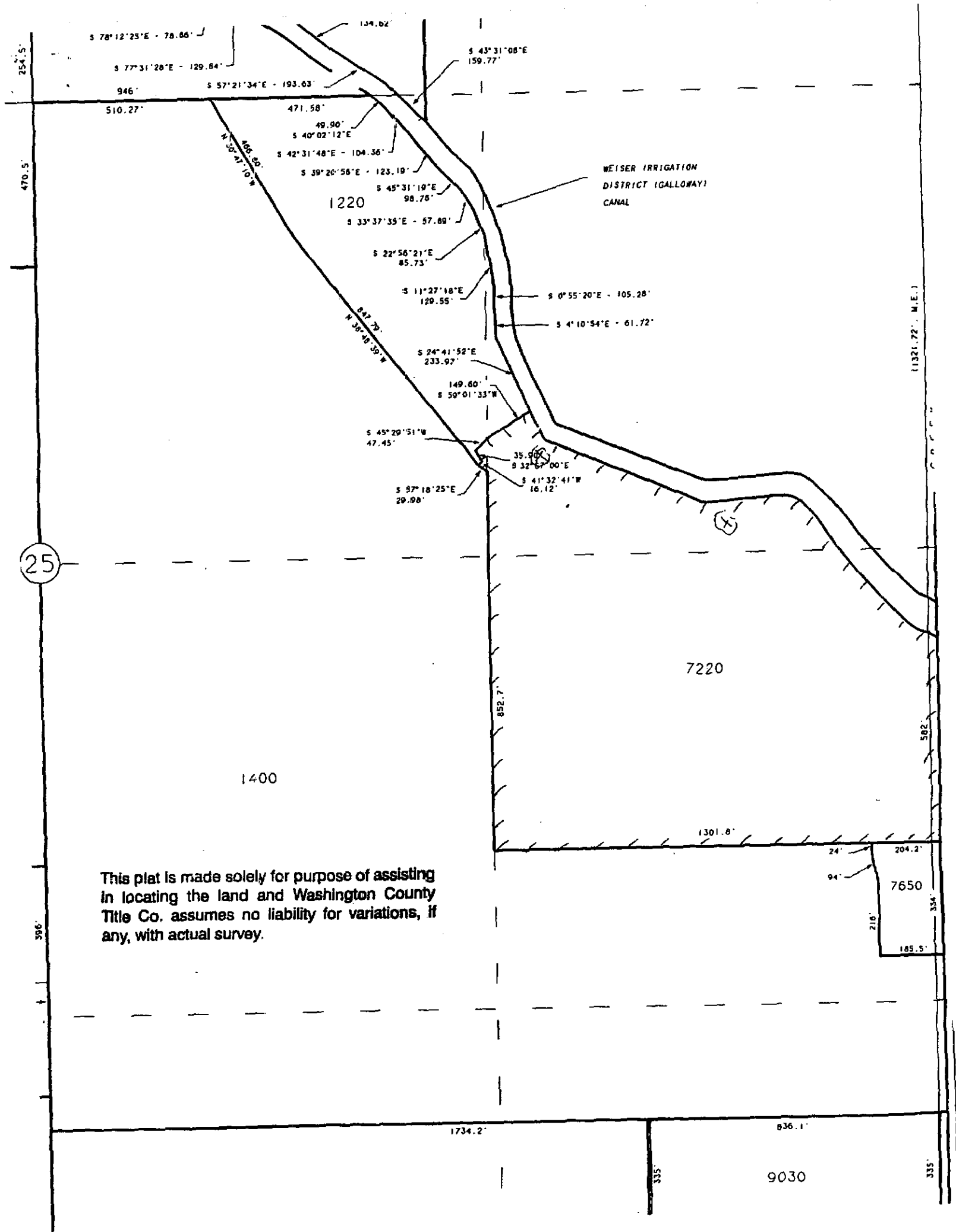
Thence South to the POINT AND PLACE OF BEGINNING.

SAVE AND EXCEPT therefrom a right of way for ingress and egress to lands in the Southwest Quarter of the Northeast Quarter of said Section 25, Township 11 North, of Range 6 West of the Boise Meridian.

SUBJECT TO a right of way as it exists in an established roadway from County Highway known as Jenkins Creek Road to the herein described property as setout in Quitclaim Deed recorded in Book 101 Deeds, Page 727.

TOGETHER WITH all right, title and interest in and to the flow as herein after stated, of that certain natural spring located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 11 North, Range 6 West of the Boise Meridian, and all right, title and interest in and to that certain pressure water tank and its appliances located in and upon the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 25 and immediately South of and near to the South boundary line of the lands hereby conveyed, and all right, title and interest in and to the pipe line and pipe lines leading from said spring to and across said lands hereby conveyed and to said tank;

AND TOGETHER with an easement and right of way over and across and in and to the East half of said Section 25 for the pipe line leading from said spring to said lands and said tank, and for the pipe line as now placed and existing and leading from said tank to the dwelling house on the said land hereby conveyed, and for the maintenance of the same, and together with all right, title and interest of the parties of the natural flow of the said spring and of the waters of the same, which the said lands hereby conveyed have heretofore enjoyed thereon for domestic use and for the irrigation of the lawn about the dwelling house on said lands and premises, not exceeding one-half acre.



Idaho Department of Water Resources Receipt

Receipt ID W030183

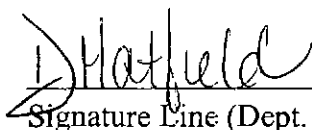
Payment Amount	\$50.00	Date Received	3/11/2003 1:38:03 PM	Region	Western	Status	
Payment Type	Check	Check Number	700				

Payer WASHINGTON COUNTY TITLE CO

Comment CHANGE OF OWNERSHIP FEE: 67-4497 & 67-11378

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	62140	1155



Signature Line (Dept. Representative)



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

March 21, 2003

WASHINGTON COUNTY TITLE CO
ATTN: CLARENCE STARK
35 W IDAHO ST
WEISER ID 83672

RE: Change in Ownership of Decreed Water Right 67-11378 (Rowan/Weldon)

Dear Mr. Stark:

The Department of Water Resources acknowledges receipt of the additional information you submitted in support of the Notice of Change in Water Right Ownership filed on March 10, 2003 for the water right referenced above. The Snake River Basin Adjudication (SRBA) Court issued a partial decree describing the water right(s) with a place of use different than the property as described in the documentation you originally submitted. The legal description in your data shows Range 6W, however the decreed water right shows Range 5W.

In order to process this change in ownership, we need documentation to show that your buyers own the water right(s) or the property described as the place of use for the water right(s). If you believe that the SRBA Court issued the partial decree(s) with an error in the description of the place of use, you may be able pursue one of the following options with the Court.

- 1) Motion to set-aside – a motion filed with the SRBA Court which, if granted, would provide a process to correct the partial decree. You would need to provide justification for the correction.
- 2) Motion to file late claim – a motion filed with the SRBA Court which, if granted, would allow you to file a new claim for your existing water use. A late claim would be investigated for validity and accuracy by the Department.

Please contact Roxanne Brown of this office at 327-7900 if you have questions related to the SRBA. Ms. Brown can assist you with the SRBA Court's processes.

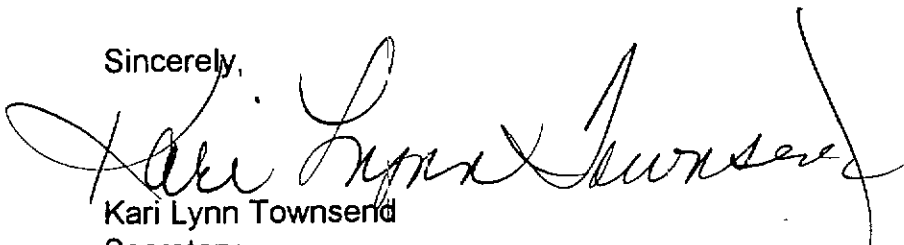
As additional alternatives, you could pursue one of the following options with the Department.

- 1) New Appropriation – an application for permit filed with the Department to develop a new water right. If a permit is approved, the priority date is the date that the application is filed. Some areas of the state are closed to new development. Please note that a water right permit is not required for certain domestic uses from a ground water source.
- 2) Water Right Transfer – an application filed with the Department to change an existing water right. In this case, the purpose of the transfer would be to change the place of use (and possibly the point of diversion) to your property description. You would need to provide evidence of ownership or authorization from the current owner of record before the Department could process the application.

If you choose to file an application for permit or transfer with the Department, you may be able to apply any fees submitted with your Notice of Change in Water Right Ownership to the application. Please contact staff from the Water Right Permits section of this office if you have additional questions related to the applications described above.

Please let us know within 30 days how you plan to proceed. If we do not hear from you within 30 days we will return your Notice of Change in Water Right Ownership and all attachments and refund any fees submitted with your notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", written over a horizontal line.

Kari Lynn Townsend
Secretary

KLT:k

cc: Roxanne Brown, IDWR

RECEIVED

MAR 13 2003

Department of Water Resources

Washington County Title Co.

35 West Idaho St.
Weiser, ID 83672

(208) 414-1455
Fax (208) 414-1487

Title Insurance

Escrow Service

March 10, 2003

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Transfer of Water Right Ownership
Former Owner: Rowan, Craig and Tensie
New Owner: Weldon, Bernhard & Jennifer

Enclosed: Notice of Change in Water Right Ownership

Copy of recorded Warranty Deed

Check in the amount of \$50.00 for transfer fee.

WASHINGTON COUNTY TITLE CO.



By: G. Frances McDaniel

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